

Remarks/Arguments:

By this Amendment, Applicants have amended claim 1. Claims 1-10 are pending.

Objection to the Abstract

At paragraph 1 of the Office Action, the Examiner has objected to the form of the Abstract. Following the Examiner's guidance, Applicants have amended the Abstract to place it in proper form. Applicants respectfully submit that the Abstract as amended overcomes the basis of the Examiner's objections.

Claim Rejections Under Section 103

Claims 1, 3, 7, and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art Figure 9 in view of Yamamoto. By this Amendment, Applicants respectfully traverse the Section 103(a) rejection.

Claim 1 is an independent claim with claims 2-8 dependent thereon. Claim 1 is directed to a recording apparatus which includes the following features:

- recording means which records audio visual ("AV") data on a recording medium, and
- file restoration means which, when file management information for managing a file recorded on the recording medium is destroyed or lost while the recording means records the AV data, restores or generates the file management information so as to make it possible to access a portion of the AV data already recorded on the recording medium **by reproducing the portion of the AV data already recorded on the recording medium.**

Applicants contend that the recording apparatus as defined by claim 1 is patentably distinguished from the Admitted Prior Art Figure 9 and the Yamamoto Reference at least based on the requirement that restoring or generating the file management information is by reproducing the portion of the AV data already recorded on the recording medium. Simply put,

this feature is neither taught nor suggested in the Admitted Prior Art Figure 9 and the Yamamoto reference.

If file management information is destroyed or lost when power is cut off, the recording apparatus defined by claim 1 restores and regenerates the file management information so as to make it possible to access a portion of the AV data already recorded on the recording medium by reproducing the portion of the AV data already recorded on the recording medium.

Applicants respectfully submit that the amendment to claim 1 is not the addition of new matter but is based on the application as originally filed.

The Admitted Prior Art Figure 9 is an example of file management information. But the Office Action itself admits that Prior Art Figure 9 does not disclose any means for restoring file management information based on the following statement:

The admitted prior art Figure (9) at pages 2-3 of the present Application fails to specifically disclose the feature of restoring file management information when the file management information is destroyed so as to make it possible to access a portion of the AV data recorded on the recording medium as specified in the present claim 1.

See page 3 of the Office Action. To overcome this deficiency of Admitted Prior Art Figure 9, the Office Action relies on the Yamamoto Reference. But it is Applicants' contention that the Yamamoto Reference does not overcome the deficiency of the Admitted Prior Art Figure 9.

The Yamamoto Patent relates in general to a flash memory, which as shown in Figure 2 therein, includes data block (a) for storing plural picture data files, two file managing blocks (b) and (c) for storing management data for managing them, and two check sum storage areas (d) and (e) for storing check data for checking each data content of the pair of file managing blocks (b) and (c). An abnormality in the management data of the two file managing blocks (b) and (c) can be detected based on each check data. When management data of one file managing block (b) is destroyed, the management data of the other file managing block (c) is copied and restored. In other words, Yamamoto reproduces any destroyed management data found in a duplicate file management block.

But nowhere in the Yamamoto Reference is there any teaching or suggestion of the feature of Applicants' claim 1 whereby file management information is restored by reproducing the portion of the AV data already recorded on the recording medium. Thus this feature of Applicants' claim 1 is neither found nor suggested in the Yamamoto Reference.

Because both the Admitted Prior Art Figure 9 and the Yamamoto Reference neither teach nor suggest the feature of restoring the file management information by reproducing the portion of the AV data already recorded on the recording medium, Applicants request that claim 1 and the claims dependent thereon are in condition for allowance. Withdrawal of the Section 103(a) rejection is respectfully requested.

Allowable Subject Matter

Claims 2, 4, 5 and 6 have been identified by the Examiner as having allowable subject matter and "would be allowable if rewritten in independent form." Applicants respectfully submit that there is no need to rewrite these claims since they are either directly or indirectly dependent on claim 1 which is itself in condition for allowance.

Applicants also acknowledge with appreciation the Examiner's finding that claims 9 and 10 contain allowable subject matter over the prior art of record. Claim 9 is an independent claim with claim 10 dependent thereto.

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In view of the foregoing remarks and amendments, Applicants respectfully submit that claims 1-10 are in condition for allowance. Reconsideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,



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DNC:ds

Attachment: Abstract

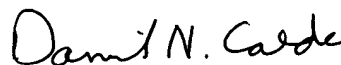
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